



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

re application of

Attorney Docket No: Q59991

Dario BARBERIS, et al.

Appln. No.: 09/611,230

Group Art Unit: 3683

Confirmation No.: 4825

Examiner: M Burch

Filed: July 6, 2000

For: A CONTROL AND COMMUNICATION SYSTEM FOR RAILWAY TRAINS

**SUBMISSION OF TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$110.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

Respectfully submitted,

Robert V. Sloan  
Registration No. 22,775

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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

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Date: December 10, 2003

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P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, SAB WABCO S.P.A., ALSTOM  
TRANSPORT SA, represents that the petitioner, SAB WABCO S.P.A., ALSTOM  
TRANSPORT SA is the owner of the entire right, title and interest of U.S. Application No.  
09/804,392, filed on March 13, 2001 for Dario BARBERIS et al., by virtue of an Assignment  
from all of the inventors recorded on June 15, 2001, now issued as U.S. Patent 6,546,318 as well  
as the entire right, title and interest in the above-captioned U.S. Application No. 09/611,230 by  
virtue of an Assignment from all of the inventors thereof executed on March 24, 2000, recorded  
on July 6, 2000, at Reel 010951, Frame 0470.

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed  
and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take  
this action.

Terminal Disclaimer  
U.S. Patent Application Ser. No.: 09/611,230  
Attorney Docket Q59991  
December 10, 2003

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 09/611,230 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,546,318 in view of 5,835,845, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 09/611,230 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,546,318 in view of 5,835,845 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 09/611,230, this agreement to run with any patent granted on the above-captioned U.S. Application No. 09/611,230 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 09/611,230 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,546,318 in view of 5,835,845 in the event that U.S. Patent 6,546,318 in view of 5,835,845 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Terminal Disclaimer  
U.S. Patent Application Ser. No.: 09/611,230  
Attorney Docket Q59991  
December 10, 2003

The undersigned whose signature and title appear below is empowered to act on behalf of  
petitioner.

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